

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Darren M. Jackson,

Civil No. 07-3316 (DWF/AJB)

Plaintiff,

v.

**ORDER**

United States of America,

Defendant.

---

Darren M. Jackson, *Pro Se*, Plaintiff.

Lonnie F. Bryan, Assistant United States Attorney, United States Attorney's Office,  
counsel for Defendant.

---

Based upon the Report and Recommendation by U.S. Magistrate Judge Arthur J. Boylan, dated August 19, 2008, with all the files and records, and no objections having been filed to said Recommendation,

**IT IS HEREBY ORDERED** that Defendant's Motion to Dismiss, or in the alternative, for Summary Judgment (Doc. No. 31) is **DENIED** and that Plaintiff's Motion for Partial Summary Judgment (Doc. No. 38) is **DENIED**.

Dated: September 26, 2008

s/Donovan W. Frank  
DONOVAN W. FRANK  
Judge of United States District Court